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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

[Farm Credit Administration Order 474]

PART 2—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF THE FARM CREDIT ADMINISTRATION, WASHINGTON, D. C.

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

CREATION OF REVOLVING FUND BY AGRICULTURAL MARKETING ACT

1. Sections 2.1 (g) and 2.2 (e) of Title 6, Chapter I, of the Code of Federal Regulations (12 F. R. 2683) are hereby revised to read as follows:

§ 2.1 *Organization.* * * *

(g) The Cooperative Division, headed by the Cooperative Bank Commissioner, conducts the liquidation of loans made to cooperative associations out of the Revolving Fund created by the Agricultural Marketing Act (46 Stat. 11, as amended; 12 U. S. C. 1141–1141j)

§ 2.2 *Functions and procedures.* * * *

(e) *Functions with respect to Agricultural Marketing Act Revolving Fund.* The Farm Credit Administration, through the Cooperative Division, conducts the liquidation of loans made to cooperative associations by the Federal Farm Board and the Farm Credit Administration out of the Revolving Fund created by the Agricultural Marketing Act (46 Stat. 11, as amended; 12 U. S. C. 1141–1141j) Since loans to cooperative associations for the purposes specified in the Agricultural Marketing Act are now available from the banks for cooperatives, loans under that act are not ordinarily made by the Farm Credit Administration out of the Revolving Fund, except in furtherance of the liquidation of outstanding loans. The requirements for such loans and the terms and conditions thereof are stated in the Agricultural Marketing Act.

A cooperative association desiring to apply for a loan from the Revolving Fund should submit an application on a prescribed form to the Cooperative Bank Commissioner, together with evidence of the association's eligibility under the act, and of the authority of its officers to execute the loan documents, and statements of its financial condition. Forms for making application for loans may be obtained from the Cooperative Bank Commissioner upon request.

Real and personal properties acquired by the United States as a result of loans made from the Revolving Fund are leased and sold in accordance with the provisions of 46 Stat. 13, as amended; 12 U. S. C. 1141b (7) Ordinarily, these properties are advertised and sold on the basis of sealed bids, reserving the right to reject any and all bids. Each bidder is notified of the acceptance or rejection of his bid.

Certain indebtedness of farmers being liquidated by the Farm Credit Administration in connection with the Agricultural Marketing Act Revolving Fund may be compromised, adjusted, or canceled, in appropriate cases, in accordance with 58 Stat. 836; 12 U. S. C., Sup. 1150–1150c; and the regulations contained in Part 01 of Subtitle A of this title. Applications of debtors for compromise, adjustment, or cancellation of their debts should be submitted on prescribed forms which may be obtained from the Cooperative Bank Comissioner upon request.

(Sec. 40, 48 Stat. 51, 12 U. S. C. 636)

2. Section 3.21 of Title 6, Chapter I, of the Code of Federal Regulations (12 F R. 2686) is hereby revised as follows:

§ 3.21 *Functions and duties of Cooperative Bank Commissioner with respect to the Agricultural Marketing Act Revolving Fund.* The Cooperative Bank Commissioner is authorized and empowered: (a) To accept or reject applications for loans from the Revolving Fund authorized by the Agricultural Marketing Act (46 Stat. 11, 12 U. S. C. 1141–1141j) in whole or in part, and to make commitments therefor; to designate such officers of the Cooperative Division as he may deem necessary and to prescribe their authority and duties; (b) to execute, either in person or through such officer as he may authorize, instruments for the release, modification, removal, or revival of real and chattel mortgages, pledges, and other lien instruments, and such other documents as may be necessary to carry out his power and authorities hereunder; (c) to perform any and all functions and duties, in accordance with law, which the Governor of the Farm Credit Administration is authorized to perform with respect to the administration of the Agricultural

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

Marketing Act Revolving Fund, except the signing of vouchers for the disbursement of money from the Revolving Fund; (d) to perform any and all functions and duties, in accordance with law, which the Governor of the Farm Credit Administration is authorized to perform under the regulations of the Secretary of Agriculture issued pursuant to the provisions of an act of Congress approved December 20, 1944 (58 Stat. 836; 12 U. S. C., Sup. 1150–1150c), insofar as the said act and regulations apply to the Revolving Fund; and (e) to redelegate any or all of the foregoing powers, duties, and authorities to such officers or employees of the Cooperative Division as he may designate. (Sec. Memos. 846, Jan. 6, 1940, 1086, Apr. 26, 1943)

3. Section 3.22 of Title 6, Chapter I, of the Code of Federal Regulations, *Official acts of Treasurer and Assistant Treasurer of the Revolving Fund ratified*, is hereby revoked.

(Secs. 40, 80, 48 Stat. 51, 273, sec. 5, 50 Stat. 6, 58 Stat. 836; 12 U. S. C. and Sup. 636, 638 (b) 1020a, 1150–1150c; E. O. 6084, Mar. 27, 1933, 6 CFR 1.1m)

[SEAL] I. W DUGGAN, *Governor*

JANUARY 16, 1948.

[F. R. Doc. 48-618; Filed, Jan. 21, 1948; 8:45 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter II—The Loyalty Review Board

PART 220—DIRECTIVES TO THE DEPARTMENTS AND AGENCIES; CASES OF INCUMBENT AND EXCEPTED EMPLOYEES

PART 230—DIRECTIVES TO THE REGIONAL LOYALTY BOARDS; CASES OF APPLICANTS AND APPOINTEES IN THE COMPETITIVE SERVICE

Correction

In Federal Register Document 48-518, appearing at page 253 of the issue for Tuesday, January 20, 1948, the following corrections are made:

1. The first sentence of § 220.4 (a) should read: "The determination by the board shall be made in writing and shall be signed by the members of the board."

2. In the first line of the third paragraph of § 220.4 (b) the word "expected" should read "excepted."

3. The last line of paragraph (b) of § 230.2 should read: "to a just determination."

4. The last sentence of subparagraph (3) of § 230.2 (f) should read: "This hearing shall be conducted in accordance with the provisions of Directive III (§ 230.3)."

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

DELEGATION OF AUTHORITY TO CHIEF OF FOREST SERVICE

By virtue of the authority vested in the Secretary of Agriculture, I, Clinton P Anderson, Secretary of Agriculture, do hereby delegate to the Chief of the Forest

Service the authority to determine and advise the Director, Bureau of Land Management, whether development of minerals, including oil and gas, under authority of the Secretary of the Interior pursuant to the Mineral Leasing Act for Acquired Lands, approved August 7, 1947 (Public Law 382, 80th Cong., 1st Sess.) and to the provisions of section 402, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) on lands under the jurisdiction of the Forest Service will interfere with the primary purposes for which the lands have been acquired or are being administered, and to consent to such development subject to such conditions as the Chief of the Forest Service may prescribe to insure the adequate utilization of the lands for such purposes.

The Chief of the Forest Service may delegate to other officers and employees of the Forest Service such of the authority granted hereunder as he may consider desirable in carrying out the purposes of said Mineral Leasing Act for Acquired Lands and said Reorganization Plan.

This amends the delegation to the Chief of the Forest Service dated August 26, 1946 (11 F. R. 9419; 7 CFR, 1946 Supp., Appendix, Part 1)

(Public Law 382, 80th Cong., 1st Sess.)

Done at Washington, D. C., this 16th day of January 1948.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-620; Filed, Jan. 21, 1948; 8:45 a. m.]

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

EXEMPTION OF CERTAIN ECONOMIC POISONS

Representatives of trade associations which include a large proportion, on a volume basis, of the economic poison industry have applied for exemption from the provisions of the Federal Insecticide, Fungicide and Rodenticide Act of certain economic poisons which were or will be labeled, shipped, and delivered by the manufacturer thereof prior to December 25, 1947, in the case of herbicides and rodenticides and prior to June 25, 1948, in the case of insecticides and fungicides. It has been represented that there are large stocks of these materials in the channels of trade which do not fully comply with the requirements of the act; that in the case of herbicides and rodenticides they are effective for the purposes intended and not likely to cause injury to the public when used as directed, and in the case of insecticides and fungicides, they comply with the provisions of the Insecticide Act of 1910; that their marketing will not be unduly detrimental to the public interest; that the repackaging or relabeling of these materials is not practical and that the prohibition of marketing them under the act would result in keeping from the market pest control products which are vitally necessary for the production and protection of food and fiber supplies.

A notice of proposed rule making was published in the FEDERAL REGISTER on December 27, 1947. Interested persons were afforded an opportunity to submit orally or in writing data, views or arguments with respect to the proposed rule within five days after publication of the notice in the FEDERAL REGISTER. No such data, views or arguments were received.

In view of the above-mentioned representations it has been determined that it will not be unduly detrimental to the public interest to issue an exemption in accordance with the provisions of section 15 of the Federal Insecticide, Fungicide, and Rodenticide Act, and that such action is necessary to avoid hardship. Therefore, by virtue of the authority vested in me by section 15 of the Federal Insecticide, Fungicide, and Rodenticide Act and § 162.3 of the regulations promulgated thereunder, normal stocks of economic poisons which were or will be labeled, shipped, and delivered by the manufacturer thereof prior to December 25, 1947, in the case of rodenticides and herbicides, and prior to June 25, 1948 in the case of insecticides and fungicides, are hereby exempted from the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, subject to the following conditions:

1. In the case of an insecticide or fungicide, it must not be in violation of the provisions of the Insecticide Act of 1910.

2. In the case of a rodenticide or herbicide, it must be effective for the purposes intended and not likely to cause injury to the public when used as directed.

3. The period of exemption is limited to one year from the date upon which the act became effective with respect to the particular product—that is, the exemption expires on December 25, 1948, in the case of rodenticides and herbicides; and on June 25, 1949, in the case of insecticides and fungicides.

4. This exemption may be revoked at any time, either as a whole or as it applies to any particular product if such action appears to be in the public interest.

This rule shall be effective immediately.

(Sec. 3, 60 Stat. 238, Pub. Law 104, 80th Cong., 61 Stat. 163; 5 U. S. C. Sup. 1002)

Done at Washington, D. C., this 19th day of January 1948.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 48-640; Filed, Jan. 21, 1948; 8:47 a. m.]

Chapter IV—Federal Crop Insurance Corporation

[Amdt. 1]

PART 419—COTTON CROP INSURANCE

CONTINUOUS CONTRACTS FOR 1948 AND SUCCEEDING CROP YEARS (YIELD INSURANCE)

The Cotton Crop Insurance Regulations for Continuous Contracts for the 1948 and Succeeding Crop Years (Yield Insurance) (12 F. R. 8061) are hereby amended as follows:

Paragraph (a) of § 419.51 is amended to read:

§ 419.51 *Availability of cotton crop insurance.* (a) Cotton crop insurance under continuous contracts for the 1948 and succeeding crop years will be provided only in accordance with this subpart in the following counties:

Alabama: De Kalb, Houston, Madison, Pike, and Tuscaloosa.
Arizona: Pinal.
Arkansas: Chicot, Crittenden, Faulkner, and Hempstead.
California: Tulare.
Georgia: Burke, Dooly, and Jackson.
Louisiana: Bienville, Caddo, Natchitoches, and Richland.
Mississippi: Covington, Holmes, Lee, Quitman, and Washington.
New Mexico: Chaves.
North Carolina: Cleveland.
Oklahoma: Bryan and Hughes.
South Carolina: Anderson, Greenville, and Orangeburg.
Tennessee: Lauderdale.
Texas: Anderson, Collin, Donley, Hill, Nueces, Red River, Reeves, Rusk, and Williamson.

(Secs. 506 (e) 507 (c) 508, 509, 516 (b) 52 Stat. 73–75, 77, as amended, Pub. Law 320, 80th Cong., 7 U. S. C. and Sup. 1506 (e) 1507 (c) 1508, 1509, 1516 (b))

Adopted by the Board of Directors on December 17, 1947.

[SEAL] E. D. BERKAW,
Secretary,
Federal Crop Insurance Corporation.

Approved: January 16, 1948.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-623; Filed, Jan. 21, 1948; 8:46 a. m.]

[Amdt. 1]

PART 419—COTTON CROP INSURANCE

ANNUAL CONTRACTS FOR 1948 CROP YEAR (DOLLAR COVERAGE INSURANCE)

The Cotton Crop Insurance Regulations for Annual Contracts for the 1948 Crop Year (Dollar Coverage Insurance) (12 F. R. 8067) are hereby amended as follows:

Paragraph (a) of § 419.2001 is amended to read:

§ 419.2001 *Availability of cotton crop insurance.* (a) Cotton crop insurance under annual contracts for the 1948 crop year will be provided only in accordance with this subpart in the following counties:

Arkansas: Desha, Lawrence and Lee.
California: Fresno.
Georgia: Carroll.
Mississippi: Tallahatchie and Winston.
Missouri: New Madrid.
North Carolina: Mecklenburg.
Oklahoma: Grady.
Tennessee: McNairy.
Texas: Cameron, Jones, Knox, Lubbock and McLennon.

(Secs. 506 (e) 507 (c) 508, 509, 516 (b) 52 Stat. 73–75, 77, as amended, Pub. Law

320, 80th Cong., 7 U. S. C. and Sup. 1506 (e) 1507 (c), 1508, 1509, 1516 (b))

Adopted by the Board of Directors on December 17, 1947.

[SEAL] E. D. BERKAW,
Secretary,
Federal Crop Insurance Corporation.

Approved: January 16, 1948.

CLINTON P ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-622; Filed, Jan. 21, 1948; 8:46 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch)

[Puerto Rico Sugar Order 18]

PART 821—SUGAR QUOTAS

DECISION AND ORDER OF SECRETARY OF AGRICULTURE ALLOTTING DIRECT-CONSUMPTION PORTION OF 1948 SUGAR QUOTA FOR PUERTO RICO

Basis and purpose. This allotment order is issued under section 205 (a) of the Sugar Act of 1948 (hereinafter called "act") for the purpose of allotting the direct-consumption portion of the 1948 sugar quota for Puerto Rico among persons who market such sugar in the continental United States. The basis and purpose of the order are more fully explained below.

Omission of recommended decision and effective date. The record of the hearing shows that the capacity of Puerto Rican refineries to produce direct-consumption sugar far exceeds the 126,033 short tons of such sugar which may be marketed in the continental United States under the act and the quantity of such sugar which is distributed annually for local consumption in Puerto Rico (R. 17–18) The proceeding to which this order relates was instituted for the purpose of making allotments so as to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market direct-consumption sugar in the continental United States (Ex. 1) Such proceeding could not be instituted earlier than December 1947, for the reason that the statute under which it was authorized was suspended by Presidential proclamation (R. 255) Some of the allotments made by this order are small and could be exceeded by single shipments of sugar. It is imperative that this order become effective at the earliest possible date in order fully to effectuate the purposes of section 205 (a) of the act. Accordingly, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Preliminary statement. Section 207 (b) of the act provides that not more than 126,033 short tons, raw value, of the sugar quota for Puerto Rico for any calendar year may be filled by direct-consumption sugar.

Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota or proration thereof whenever he finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for the area. Section 205 (a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

On December 6, 1947, the Secretary, pursuant to the applicable rules of practice and procedure (7 CFR 801.20, et seq., amended by General Sugar Regulations, Series 3, No. 1, 12 F R. 8225; 13 F R. 127, 131) issued a notice of a public hearing to be held in Washington, D. C., on December 18, 1947, for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of that portion of the 1948 sugar quota for Puerto Rico for consumption in the continental United States which may be filled by direct-consumption sugar. The notice of the hearing contained a proposed allotment formula and the allotment which each interested person would receive under that proposal.

Section 205 (a) of the act requires a preliminary finding by the Secretary as a condition precedent to the calling of a hearing. The notice of hearing issued by the Secretary on December 6. 1947, provides in part as follows:

> Pursuant to the authority contained in section 205 (a) of the Sugar Act of 1937 (7 U. S. C. 115 (a)), as amended, extended and re-enacted, particularly by the Sugar Act of 1948 (Pub. Law 388, 80th Cong.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR 801.20 et seq.), and on the basis of information before me, I, Clinton P. Anderson, Secretary of Agriculture, do hereby find that the allotment of that portion of the 1948 sugar quota for Puerto Rico for consumption in the continental United States which may be filled by direct consumption sugar, pursuant to section 207 (b) of the said act, is necessary to prevent disorderly marketing and importation of such sugar from Puerto Rico and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and hereby give notice that a public hearing will be held at Washington, D. C., in Room 5085, South Building, United States Department of Agriculture, on December 18, 1947, at 10:00 a. m.

The hearing was held at Washington, D. C., on the date specified in the notice.

On the question of necessity for making allotments, the Government witness testified that on the basis of actual performance for representative periods the potential capacity of Puerto Rican refineries to produce direct-consumption sugar approximates 485,000 short tons of such sugar per year (R. 17–18; Ex. 4) Although from 75,000 to 90,000 short tons of direct-consumption sugar are distributed annually for local consumption in Puerto Rico, this amount, together with the 126,033 short tons of such sugar which may be marketed in the continental United States, is well below the capacity of Puerto Rican refineries to produce such sugar (R. 18) The Government witness then stated that in view of this situation, allotments are necessary to prevent disorderly marketing and to assure each refiner his fair share of the continental market for Puerto Rican direct-consumption sugar (R. 19) The testimony of the Government witness on the question of the necessity for allotments in 1948 was not controverted by any witness.

In regard to the manner in which the allotments should be made, the Government witness testified that one of the standards contained in section 205 (a) of the act, namely, proceedings from sugarcane to which proportionate shares (established under section 302 (b) of the act) pertained, is inapplicable because (1) the great majority of the sugar mills in Puerto Rico which process sugarcane into raw sugar do not produce refined sugar, which constitutes the bulk of the direct-consumption sugar, and (2) some of the refiners of direct-consumption sugar in Puerto Rico do not obtain their raw sugar supplies by processing "proportionate shares" sugarcane, but instead purchase their raw sugar from raw sugar mills (R. 19, and Puerto Rico Sugar Order No. 13, R. 255) The witness concluded that the use of this standard would not result in fair, efficient, and equitable allotments and proposed that the allotments be made on the basis of equal weight to "past marketings" and "ability to market" (R. 21–22) The witness then proposed that past marketings be measured by each refiner's average shipments of direct-consumption sugar to the continental United States during the years 1935–1941, inclusive, and that ability to market be measured by the highest single year's marketings of direct-consumption sugar in the continental United States by each refiner during the years 1935–1947, inclusive (R. 20) As to the measure of ability, the Government witness stated that marketings rather than plant capacity should be used because they afforded a better measure of ability than plant capacity (R. 22, 67), and that the best year's performance during the past 13 years had been selected rather than "current" marketings because this period covered both "free" and restricted years and was deemed a period during which all the interested parties had adequate opportunity to demonstrate ability (R. 23) The witness stated that a recent investigation in Puerto Rico showed that the present plant capacity of each refiner is well above the marketings for the year selected to measure ability to market (R. 46–47, 68–69; Ex. 4) The period for measuring ability to market was not limited to 1947 or other war or post-war year because of wartime dislocations, some of which extended into the calendar year 1947 (R. 40–43, 69–70, 255–257) The witness stated further that, although marketings during a period of wartime restrictions and dislocations would not alone constitute a fair

measure of ability to market, nevertheless demonstrated ability during those years should not be ignored and, accordingly, the period for measuring ability included both war and pre-war years (R. 67–68) As to the measure of past marketings, the Government witness testified that because of the wartime shipping difficulties, Government procurement restrictions, and other wartime dislocations, the war and post-war years were deemed to be unrepresentative of past marketings and were, therefore, excluded (R. 24) The period 1935–1941, inclusive, was considered to be a more normal or representative period and should be used (R. 53) The witness also recommended that 5,169 short tons of sugar be held as an unalloted reserve for persons who bring raw sugar into the continental United States for direct-consumption purposes. The recommended amount is equal to the average quantity of such sugar brought into the States during the years 1935–1941, inclusive (R. Ex. 1)

The witness for Puerto Rican American Sugar Refinery (herein called "Puerto Rican American") made no specific proposal regarding the manner in which the allotment should be made. The testimony of Puerto Rican American was directed primarily to the difficulties experienced by that company during the war and post-war years. In this respect the testimony tended to support the position taken by the Government witness that war years should be eliminated or their use restricted. Puerto Rican American obtains its raw sugar from a nearby affiliated central (raw mill) and from a number of independent centrals located at varying distances from the refinery (R. 93, 208–211) The Puerto Rican American witness testified at some length as to how the various restrictions and controls during the war and post-war years had hampered the production and movement of direct-consumption sugar by that company. The rationing of gasoline and tires and the regulation of transportation by trucks interfered with the movement of raw sugar to the refinery and of direct-consumption sugar to shipping ports (R. 157–160) Lack of adequate and timely shipping to move sugar to the continental United States created storage problems (R. 157) which at times slowed down or stopped production (R. 162, 185, 238–239) Other difficulties related to a shortage of bags for both raw and direct-consumption sugar (R. 158) and to the steps necessary to meet "black-out" regulations (R. 158–159) The witness stated that the shipping difficulties experienced by Puerto Rican American were greater than those experienced by other refineries in Puerto Rico because of the greater quantity of sugar which they had to ship (R. 181, 226) The amount of raw sugar which could be refined from the 1944, 1945, 1946, and 1947 crops was controlled by the Commodity Credit Corporation (R. 162–163) The witness testified that Puerto Rican American had planned to ship 85,000 tons of sugar to the continental United States in 1947, but was limited to approximately 60,000 tons by the Commodity Credit Corporation (R. 165–166; Ex. 10)

The witness for Central Roig Refining Company (herein called "Roig") testified that many changes have occurred in the refining situation in Puerto Rico during the past ten years. Some refiners have increased their capacity, some have marketed relatively more direct-consumption sugar in Puerto Rico than in the continental United States, and some have extended considerably the period during the year in which they make refined sugar (R. 113) Roig has increased its capacity to produce direct-consumption sugar and has increased its marketings of such sugar both in the continental United States and in Puerto Rico (R. 114) The witness stated that in view of these changes, the years 1938–1947, inclusive, constitute a representative period for measuring past marketings (R. 115) The witness stated that it is unfair to include years prior to 1938 because some refineries, including Roig, did not operate in all of the years 1935, 1936, and 1937 (R. 115) The use of the period 1935–1941, inclusive, was said to be unrepresentative and discriminatory against Roig and Igualdad (Western Sugar Refining Company) and preferential to their competitors (R. 115–116) The witness stated further that the selection of the highest one year's delivery during the period 1935–1947, inclusive, as proposed by the Government witness, was inadequate because marketings from 8 to 13 years in the past were no indication of present ability to market sugar (R. 116–117) "Ability to market" refers to ability to market in the continental United States and, to the extent that any refiner has, in recent years, elected to reduce its continental marketings in order to increase local marketings in Puerto Rico, its ability has decreased (R. 117) Ability to market in any year should be measured by marketings during the next preceding year (R. 116) The witness for Roig then proposed that allotments be made by giving equal weight to past marketings and ability to market, but that past marketings be measured by the average of such marketings for the period 1938–1947, inclusive, and that ability to market be measured by marketings during 1947 (R. 118–119) The witness further proposed that the unallotted reserve be determined on the basis of marketings of raw sugar for direct-consumption during the years 1938–1947, inclusive (R.119) The witness stated that his recommendation was in line with the action taken by the Secretary in alloting the direct-consumption portion of the Puerto Rican sugar quota for prior years (R. 119–120) The witness also asked that if the Secretary is required by law to give consideration to processing from proportionate shares some small weight be given that factor (R. 121) On cross-examination the witness testified that Roig experienced no shipping or other difficulties during the war period (R. 122–127, 147–149) Roig also presented evidence (Exs. 11, 12, and 13) to show that during the war and post-war years the three largest refiners in Puerto Rico (Puerto Rican American, Roig, and Igualdad) had greatly increased their local marketing of direct-consumption sugar but that Puerto Rican American had been able to do so only by decreasing its shipments of such sugar to the continental United States (R. 247–252)

The witness for Western Sugar Refining Company (herein called "Igualdad") objected to the formula proposed by the Government witness on the grounds that (1) ability to market is measured by marketings in too remote a period (R. 293–297) and (2) the period for measuring past marketings includes largely years in which marketing restrictions were in effect (R. 297) The Igualdad witness then proposed that allotments be made by giving equal weight to past marketings and ability to market, but that past marketings be measured by the average marketings of direct-consumption sugar in the continental United States during the years 1938–1947, inclusive, and that ability to market be measured by marketings of direct-consumption sugar in the continental United States during 1947 (R. 298–299) The witness recommended that the unallotted reserve be handled in the manner proposed by the Government witness (R. 299; Ex. 14) Igualdad also presented evidence (Exs. 15 and 16) to show that during the years 1942–1947, inclusive, Puerto Rican American increased its local sales of direct-consumption sugar but at the expense of its continental marketings, whereas Igualdad and Roig were able to increase their marketings of direct-consumption sugar both in Puerto Rico and in the continental United States during those years (R. 301–303). The witness stated further that if the Secretary is required by law to consider processings from proportionate shares, some weight be given that factor (R. 306) The Igualdad witness stated that his company experienced some difficulties from wartime controls and restrictions, but was able to overcome them without due interference with production and marketing operations (R. 335–338)

Basis of allotment. Section 205 of the act reads in pertinent part as follows:

> • • • Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. • • •

The standard "processings of sugar—from—sugarcane to which proportionate shares—pertained" is not applicable to the allotment of the direct-consumption portion of the Puerto Rico sugar quota. The statute obviously refers to the processings of sugar from sugarcane by the prospective allottee. Normally sugar processed from sugarcane is in "raw" form and must be refined to produce what is commonly referred to as direct-consumption sugar. The three largest refiners in Puerto Rico (Puerto Rican American, Roig, and Igualdad) do not process raw sugar from sugarcane, but instead obtain their raw supplies from affiliated mills or from completely independent sources (R. 141–145; 208–209;

Gilmore's Puerto Rico Sugar Manual, 1946–1947, p. 167, R. 261–262) These three refiners are separate and distinct corporations (Gilmore's Puerto Rico Sugar Manual, 1946–1947, pp. 167, 182, 198) and their operations must be viewed separate and apart from the operations of any affiliated company for the purpose of making allotments under section 205 (a) of the act. Furthermore, the use of this standard would make all of the raw sugar mills in Puerto Rico eligible for an allotment of direct-consumption sugar, although the great majority of these mills do not make refined sugar which constitutes the bulk of the Puerto Rican direct-consumption sugar (Puerto Rico Sugar Order No. 13, R. 255) Under the circumstances, the use of this standard is not considered mandatory.[1]

The other two standards specified in the act, namely, "past marketings" and "ability to market," are applicable and equal weight should be given to them in order to provide a "fair, efficient, and equitable distribution" of that portion of the quota to be allotted.

In determining past marketings, it is necessary to select a representative period which is fair and equitable to all refiners in Puerto Rico. The years selected should properly reflect the normal history of the individual company. Insofar as possible, each year selected should be a normal year. Ordinarily the most recent period of marketings recommends itself as reasonable. The past six years, however, represent a period of great abnormality for the sugar industry. From April 1942 until recently a national emergency has existed with respect to sugar (R. 255) Sugar was under price control from August 1941 until October 1947 (R. 256–257) and it was rationed from April 1942 until mid-year 1947 (R. 257) There was wartime control of both imports and exports of sugar and these controls were in effect until October 1947 (R. 255–256). Raw sugar was allocated to refiners in continental United States (R. 256) and similar allocations were made to refiners in Puerto Rico under the terms of crop purchase contracts between the Commodity Credit Corporation and Puerto Rican sugar producers (R. 162–163) Also, under the terms of the 1947-crop purchase contract, the Commodity Credit Corporation limited the amount of direct-consumption sugar which each Puerto Rican refiner could bring into the continental United States during 1947 (R. 165; Ex. 10) The "allotments" to Puerto Rican refiners for 1947 were made pursuant to specific provisions of the purchase contract and not pursuant to the provisions of the act. (R. 41–42; Ex. 10) Puerto Rico experienced many wartime land and water transportation difficulties, storage problems and shortages of bags and other essential materials. The impact of these and other dislocations affected refiners in varying degrees (Cf. Roig, R. 122–127, 147–149, and Puerto Rican American, R. 157–158, 160, 162, 185, 238–239) It is apparent from the record that the past six years are not representative years for past marketings and should not be used. The pre-war years 1935–1941, inclusive, are deemed to constitute a representative period for measuring past marketings. However, some recognition should be given to those refiners who did not operate in all those seven years (R. 115) and therefore, it is believed that the use of each refiner's average of the highest five years of marketings during such seven-year period will afford a fair and equitable measure of past marketings.

In determining ability to market, actual performance is considered a better measure than plant capacity. Therefore, this factor has been used in making allotments and plant capacity has served only as a check on the accuracy of the results. It seems more reasonable to measure ability by marketings over a relatively short period, since the use of an extended period would, in effect, give undue weight to past marketings. Marketings for a period of one year are deemed to constitute an adequate measure of ability. Under normal circumstances the selection of a recent year to measure ability would seem reasonable. The past six years, however, have been abnormal years for the sugar industry in Puerto Rico and elsewhere. Therefore, the selection of a recent year to measure ability for all Puerto Rican refiners would not be fair to some, and would not properly measure their ability. It is deemed fair to select a recent year from any refiner who, despite wartime difficulties, has been able to demonstrate greater ability than was demonstrated during pre-war years. Due to the nature of the factors to be measured, it is considered appropriate in measuring ability to use war and post-war years, although they have not been used in measuring past marketings because they were not deemed properly to represent the past performance of individual companies. Ability to market should be recognized under whatever conditions demonstrated, although the year selected may not for other purposes be regarded as normal or representative. In fairness to those refiners on whom the impact of war was greatest, it is considered fair and reasonable to select a pre-war year as a proper measure of their ability. Therefore, the best single year's performance during the past 13 years is deemed to afford a fair and equitable measure of the ability of each refiner to market direct-consumption sugar.

It is deemed desirable to reserve 5,169 short tons of sugar to be set aside for persons who bring in raw sugar from Puerto Rico for direct-consumption purposes, which amount represents the average quantity of such sugar brought in for direct-consumption during the years 1935–1941. It is not considered practicable to allot this quantity of sugar to individual mills, inasmuch as it would have to be allotted to 34 raw sugar mills, thereby rendering it impossible to make an efficient allotment as required by the act. (Puerto Rico Sugar Order No. 13, R. 255.) An allotment of this additional amount of sugar would require continental purchasers of raw sugar for direct-consumption to deal with a large number of sellers in order to obtain their requirements. Such disruption of customary trade practices could not reasonably be said to be an efficient distribution of this kind of sugar.

Findings. On the basis of the record of the hearing, I hereby find that:

1. The statutory standard of "processings of sugar * * * from * * * sugarcane to which proportionate shares * * * pertained" is not applicable to the allotment of the direct-consumption portion of the Puerto Rican sugar quota and the use of this standard is not mandatory.

2. On the basis of actual performance for representative periods, the potential capacity of Puerto Rican refiners to produce direct-consumption sugar during the calendar year 1948 is approximately 485,000 short tons of such sugar.

3. The amount of direct-consumption sugar which Puerto Rican refiners are equipped to produce in 1948 exceeds by more than one hundred percent the quantity of direct-consumption sugar which may be brought into the continental United States during 1948 and the quantity of such sugar needed for local consumption in Puerto Rico during 1948.

4. Due to wartime shipping difficulties, Government procurement programs and restrictions, and other wartime dislocations, the years 1942–1947, inclusive, are unrepresentative of past marketing history of Puerto Rican refiners and the use of such years would not result in a fair, efficient, and equitable distribution of the direct-consumption portion of the Puerto Rican sugar quota.

5. A fair and equitable measure of past marketings for each refiner is the average of the highest five years' marketings of direct-consumption sugar in the continental United States during the seven years 1935–1941, inclusive, and the past marketings of each refiner so measured are as follows:

Refiner	Short tons, raw value
Puerto Rican American Sugar Refinery	[1] 105,099
Central Aguirre	[1] 4,205
Central Roig Refining Co	[2] 18,054
Central Guanica	[4] 3,856
Western Sugar Refining Co. (Igualdad)	[3] 11,335
Central San Francisco	[6] 2,123

[1] Average of years 1935, 1936, 1937, 1939, 1940.
[2] Average of years 1935, 1937, 1938, 1940, 1941.
[3] Average of years 1937, 1938, 1939, 1940, 1941.
[4] Average of years 1935, 1938, 1939, 1940, 1941.
[5] Average of years 1936, 1938, 1939, 1940, 1941.
[6] Average of years 1935, 1936, 1937, 1939, 1940.

6. The use of plant capacity does not afford a fair and equitable measure of the ability of Puerto Rican refiners to market direct-consumption sugar in the continental United States in 1948.

7. Marketings of direct-consumption sugar in the continental United States constitute a fair and equitable measure of the ability of Puerto Rican refiners to market direct-consumption sugar in the continental United States in 1948.

[1] It was argued in the brief filed on behalf of Central Guanica (South Porto Rico Sugar Company) that the use of this standard was mandatory.

8. Due to wartime shipping difficulties, Government procurement programs and restrictions, and other wartime dislocations, the use of marketings in the continental United States in 1947 or in any other year during the period 1942–1947, inclusive, as the sole measure of ability to market does not provide a fair and equitable measure of such ability for all Puerto Rican refiners.

9. A fair and equitable measure of the ability of each refiner to market direct-consumption sugar in the continental United States is the highest single year's marketings therein during the period 1935–1947, inclusive, and the ability of each refiner so measured is as follows:

Refiner	Short tons, raw value
Puerto Rican American Sugar Refinery	[7] 116,611
Central Aguirre	[8] 10,595
Central Roig Refining Co	[9] 28,657
Central Guanica	[10] 4,982
Western Sugar Refining Co. (Igualdad)	[11] 29,998
Central San Francisco	[12] 2,590

[7] 1935.
[8] 1947.
[9] 1940.
[10] 1939.
[11] 1947.
[12] 1936.

10. A small part of the direct-consumption portion of the Puerto Rican sugar quota is normally brought into the continental United States as raw sugar for direct-consumption.

11. The average annual quantity of raw sugar brought into the continental United States for direct-consumption during the years 1935–1941, inclusive, which are representative years, was 5,169 short tons, raw value.

12. Compania Azucarera del Camuy will not market direct-consumption sugar in the continental United States in 1948 [1] and no allotment for that company is required for the calendar year 1948.

Conclusions. On the basis of the foregoing, and after consideration of the briefs submitted by interested persons following the hearing, I hereby determine and conclude (1) that the allotment of the direct-consumption portion of the 1948 sugar quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States; (2) that in order to make a fair, efficient, and equitable distribution of the direct-consumption portion of such quota, as required by section 205 (a) of the act, allotments should be made by giving equal weight to (a) past marketings, measured by the average of the highest five years of such marketings by each refiner during the period 1935–1941, inclusive, and (b) ability to market, measured by the highest single year's marketings during the period 1935–1947, inclusive; and (3) that an unallotted reserve of 5,169 short tons of sugar, raw value, should be set aside for persons who bring raw sugar into the continental United States for direct consumption.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered:

§ 821.51 *Direct-consumption portion of the 1948 sugar quota for Puerto Rico*—(a) *Allotments.* The direct-consumption portion of the 1948 sugar quota for Puerto Rico (126,033 short tons, raw value) is hereby allotted to the following companies in the amounts which appear opposite their respective names:

Refiner	Direct-consumption allotment (short tons, raw value)
Puerto Rican American Sugar Refinery	79,258
Central Aguirre	5,291
Central Roig Refining Co	16,698
Central Guanica	3,169
Western Sugar Refining Co. (Igualdad)	14,772
Central San Francisco	1,685
	120,864
Unallotted reserve for marketing of raw sugar for direct-consumption	5,169
	126,033

(b) *Restrictions on shipment.* Each of the companies named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States, for consumption therein, during the calendar year 1948, any direct-consumption sugar (except such amount of raw sugar as may be brought in within the unallotted reserve) from Puerto Rico in excess of the marketing allotment therefor established in paragraph (a) of this section. (Sec. 205 (a) of Pub. Law 388, 80th Cong.)

Done at Washington, D. C., this 16th day of January 1948. Witness my hand and seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-621; Filed, Jan. 21, 1948; 8:45 a. m.]

[1] The record indicates that this company is not now engaged in the manufacture of refined sugar (R. 331–332).

Chapter XXI—Organization, Functions, and Procedures

PART 2501—COOPERATIVE EXTENSION SERVICE

MISCELLANEOUS AMENDMENTS

1. Section 2501.1 (11 F. R. 177A-243) is amended to read as follows:

§ 2501.1 *Central organization.* The Director of Extension Work, aided by three assistant directors, represents the Department in the administration, through the State agricultural colleges, of the nation-wide system of cooperative extension work in order that it may function nationally as well as State and locally as an effective educational force which helps rural people to utilize fully all available resources in solving current problems and in meeting the new situations resulting from changing economic, social, and political conditions, to the end that nutrition and health, economic welfare, family and community life may be improved and the general standard of living raised; reviews and analyzes budgets, projects, and plans for State extension work in agriculture and nome economics to bring about a coordinated national cooperative extension program. The work of the cooperative extension service is conducted by the following Divisions of the central organization: Business Administration; Extension Information; Field Coordination; Subject Matter; Field Studies and Training.

2. Section 2501.20 (11 F. R. 177A-244) is amended to read as follows:

§ 2501.20 *Internal management.* All administrative functions and procedures of the cooperative extension service are matters of internal management.

3. Section 2501.21 is revoked.

(R. S. 161, sec. 3, 60 Stat. 238, Pub. Law 402, 80th Cong., 5 U. S. C. and Sup. 22, 1002)

These amendments shall become effective January 31, 1948.

Dated: January 16, 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-619; Filed, Jan. 21, 1948; 8:45 a. m.]

TITLE 15—COMMERCE

Chapter VI—Office of Technical Services, Department of Commerce

PART 603—ISSUANCE OF LICENSES UNDER FOREIGN PATENTS OWNED BY THE UNITED STATES

Sec.
603.1 Authority.
603.2 Application for licenses.
603.3 Type of license.
603.4 Conditions in licenses.
603.5 Revocation.

AUTHORITY: §§ 603.1 to 603.5, inclusive, issued under E. O. 9865, June 14, 1947, 12 F. R. 3907.

§ 603.1 *Authority.* The regulations in this part are issued under the authority contained in Executive Order 9865 dated June 14, 1947 (12 F. R. 3907–3909) Under the Executive order, the Secretary of Commerce is required, where the best interests of the United States so indicate, to file patent applications in foreign countries covering inventions resulting from Government conducted or financed research embodied in United States patents owned by the Government of the United States. The Secretary of Commerce having obtained such foreign patent rights for the United States Government may issue licenses thereunder to nationals of the United States who make application therefor.

§ 603.2 *Applications for licenses.* An application for a license should be addressed to the Secretary of Commerce, Washington 25, D. C., Attention: Director, Office of Technical Services. It should set forth the name and address of the individual, partnership, or corporation desiring the license, a brief description of the business activities in which

engaged, and such other pertinent information as may be desired. The Government of the United States is interested in the maximum use being made of patented processes and devices which it owns, and, accordingly, the Secretary of Commerce will consider the likely ability of the applicant to use the patented process or device before determining that a license should or should not issue.

§ 603.3 *Type of license.* Under existing law, the United States can issue only licenses which are revocable at will. Licenses will also be non-exclusive and royalty-free except where the Secretary of Commerce shall determine and proclaim it to be inconsistent with the public interest to issue licenses on such a basis.

§ 603.4 *Conditions in licenses.* The licenses to be issued will be granted on the following express conditions: (a) The Government of the United States will not guarantee the validity of the patent covered by the license, nor will it undertake to defend any suits brought against the licensees or to indemnify for infringement of the patent; (b) the Government of the United States will reserve the right at any time to grant additional licenses; and (c) the Government will reserve the right to revoke the license at any time. It will also be provided in the license that it be non-transferable.

§ 603.5 *Revocation.* Although licenses issued under the regulations in this part are revocable at will, licenses will not ordinarily be revoked. The occurrence of the following may, however, result in the revocation of the license: (a) Failure to abide by the terms and conditions of the license; (b) failure to use the process or device covered by the patent; (c) the bankruptcy or insolvency of the licensee.

[SEAL] WILLIAM C. FOSTER,
Acting Secretary of Commerce.

JANUARY 15, 1948.

[F. R. Doc. 48-628; Filed, Jan. 21, 1948; 8:46 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter C—The Foreign Service

[Foreign Service Regulation S-43]

PART 102—PERSONNEL ADMINISTRATION

MINIMUM PERIODS IN CLASS FOR PROMOTION IN 1948

JANUARY 16, 1948.

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to sections 302, 622, 633, 634, and 1102 of the act of August 13, 1946 (60 Stat. 1001, 1014, 1015, 1033) § 102.622 (12 F. R. 2288) of the Foreign Service Regulations is amended to read as follows:

§ 102.622 *Minimum periods in class for promotion in 1948.* All Foreign Service officers, excepting those whose performance of duty since January 1, 1947 has resulted in disciplinary action by the Board of the Foreign Service, shall be eligible for promotion to a higher class in 1948:

(a) If they have been in class 2, 3, 4, or 5 at least since June 30, 1946;

(b) If they are in class 6 and were appointed as Foreign Service officers prior to January 1, 1947; or

(c) If they are in class 6 and, regardless of the dates of their appointment to the Service, were 35 years of age or older on January 1, 1948, and have had at least three years' service in another branch of the Foreign Service or any Government agency prior to appointment as Foreign Service officers.

(d) For the purpose of this section time served by Foreign Service officers in classes under the Foreign Service Act of 1946 shall include time served in classes under the act of May 24, 1924 (43 Stat. 140) as follows:

Time served by an officer now in class	Who on Nov. 12, 1946, was in class	Shall include time served in class
2	II	II.
3	III	III and IV.
	IV	IV.
4	V	V and VI.
	VI	VI.
5	VII	VII and VIII.
	VIII	VIII.
6	Unclassified	Unclassified.

(R. S. 161, secs. 302, 622, 633, 634, 1102, 60 Stat. 1001, 1014, 1015, 1033; 5 U. S. C. 22)

This regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

For the Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-639; Filed, Jan. 21, 1948; 8:49 a. m.]

[Foreign Service Regulation S-44]

PART 102—PERSONNEL ADMINISTRATION

PROCEDURE FOR SEPARATION FOR UNSATISFACTORY PERFORMANCE, MISCONDUCT OR MALFEASANCE

JANUARY 16, 1948.

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to section 302 of the Foreign Service Act of 1946 (60 Stat. 1001) the Foreign Service Regulations comprising Part 102 of Title 22 of the Code of Federal Regulations are amended by adding the following section:

§ 102.795 *Procedure for separation for unsatisfactory performance, misconduct, or malfeasance.* (a) Actions leading to hearings as authorized by sections 637, 638, 651, and 652 of the Foreign Service Act of 1946 shall be initiated by the Chief of the Division of Foreign Service Personnel or by such officer or officers as he may designate to act in his name.

(b) The person whose separation is sought shall be advised in writing of any charges against him and of the time and place of the hearings and the legal authority therefor. The notice shall also advise the person whose separation is sought, of his right to respond in writing to the charges, of his right to be present at the hearing, of his right to present, orally or in writing, information in his own behalf, and of his right to be accompanied by a representative of his own choosing. The person whose separation is sought shall, unless he waives such notice in writing, be given thirty days in which to respond to the charges against him and in which to prepare his defense. And he shall be entitled to be accompanied by a representative of his own choosing.

(c) The person whose separation is sought shall be furnished traveling expenses, including transportation for himself only, to the place where the hearing is to be held. Such person may, in the discretion of the Director General of the Foreign Service, be furnished traveling expenses, including transportation, from the place where the hearing is held to his post.

(d) The Board of the Foreign Service is authorized, in its discretion, to appoint officers qualified to serve as hearing officers, who shall take testimony and evidence on its behalf. The Chairman of the Board of the Foreign Service shall designate a hearing officer or officers from among those previously appointed by the Board of the Foreign Service to take testimony and evidence. Such hearing officer or hearing officers shall conduct the taking of testimony and evidence in accordance with this section and shall report to the Board of the Foreign Service the record of testimony and evidence and their findings. The Board of the Foreign Service shall examine the record and findings of the hearing officer or hearing officers and shall, in the exercise of its own judgment, determine if the charges of unsatisfactory performance of duty or misconduct or malfeasance, as the case may be, have been established. The taking of testimony and evidence by a hearing officer or hearing officers, and the determination by the Board of the Foreign Service in accordance with this authority, is a hearing by the Board, of the Foreign Service.

(e) No person appointed as a hearing officer shall be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigative or prosecuting functions.

(f) No officer, employee, or agent engaged in the performance of investigative or prosecuting functions shall participate or advise in the determination of the Board of the Foreign Service as to the establishment of unsatisfactory performance of duty or misconduct or malfeasance.

(g) The Board of the Foreign Service, in conducting hearings authorized by sections 637, 638, 651, and 652 of the Foreign Service Act of 1946, may receive and consider such information as it considers pertinent to the matter before it without regard to legal rules of evidence, and may ask questions and request additional information, and shall control the course of proceedings.

(h) The Chief of the Division of Foreign Service Personnel, or such officer or officers as he may designate to act in

his name, shall be responsible for presenting at the hearing, all pertinent information for the consideration of the Board of the Foreign Service. Information may be presented in oral and written form. Witnesses may be called by the hearing panel to give testimony for or against the person charged, and the transportation expenses for such witnesses shall be borne by the Department of State.

(i) The person whose separation is sought shall have the right to present written and oral testimony and may call witnesses to give information on his behalf, but the cost of their transportation may not be paid by the Government.

(j) If a person who has been granted a hearing in accordance with sections 637, 638, 651, and/or 652 of the Foreign Service Act of 1946 and this section fails to appear at the hearing without good cause, the hearing shall be held on the basis of available information notwithstanding the person's absence.

(k) A person whose separation for cause is sought may waive his right to appear at a hearing. Such waiver should be in writing.

(l) A hearing may be postponed or continued from time to time in the discretion of the Board of the Foreign Service, or of the hearing officer or hearing officers.

(m) After a hearing has been concluded the Board of the Foreign Service shall notify the Secretary of its findings.

(R. S. 161, sec. 302, 60 Stat. 1001; 5 U. S. C. 22)

This regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

For the Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-633; Filed, Jan. 21, 1948; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Office of Indian Affairs

[25 CFR, Part 130]

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Proceedure Act of June 11, 1946 (60 Stat. 238) and authority contained in the act of Congress approved March 1, 1907 (34 Stat. 1024-25) and by virtue of authority delegated by the Commissioner of Indian Affairs to the undersigned District Director, District No. III, Portland, Oregon, September 14, 1946 (11 F. R. 10267; 25 CFR 02.8) notice is hereby given of intention to modify § 130.32 *Basic water charge*, of Title 25, Code of Federal Regulations, dealing with operation and maintenance assessments against irrigable lands of the Fort Hall Indian Irrigation Project, Idaho, as follows:

By increasing the annual basic water charge per acre from $1.50 to $2.50 for each irrigable acre of land in non-Indian ownership to which water can be delivered from the project works. In addition to the foregoing change there shall be collected annually a minimum charge of $4.50 for the first acre or fraction thereof on each tract for which operation and maintenance bills are prepared.

The foregoing proposed changes are to become effective for the irrigation season 1948 and continue in effect thereafter until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to E. Morgan Pryse, District Director, U. S. Indian Service, Building 34, Swan Island, Portland 18, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

EDWARD G. SWINDELL, Jr.,
Acting District Director.

[F. R. Doc. 48-613; Filed, Jan. 21, 1948; 8:45 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10232]

MORITAKA NAGANO

In re: Estate of Moritaka Nagano, deceased. File No. D-39-18391, E. T. sec. 14107.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shizuko Nagano and Yoko Nagano, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the sum of $74.65 was paid to the Alien Property Custodian by Marvin Voorhees, Administrator of the Estate of Moritaka Nagano, deceased;

3. That the sum of $74.65 was accepted by the Alien Property Custodian on October 9, 1945, pursuant to the Trading with the Enemy Act, as amended;

4. That the said sum of $74.65 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan)

and it is determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-630; Filed, Jan. 21, 1948; 8:48 a. m.]

[Vesting Order 10337]

LOUISA BEACHER LOESCH

In re: Estate of Louisa Beacher Loesch, deceased. File D-28-12071, E. T. sec. 16261.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Isidor Thoma, Lena Thoma, Bertha Thoma, Theresa Thoma, also known as Rosa Thoma, and Margarethe Bosl, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue and next of kin, names unknown, of Isidor Thoma, issue and next of kin, names unknown, of Lena Thoma, issue and next of kin, names unknown, of Bertha Thoma, issue and next of kin, names unknown, of Theresa Thoma, also known as Rosa Thoma, and the issue and next of kin, names unknown, of Margarethe Bosl, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Louisa Beacher Loesch, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by The Marine Trust Company of Buffalo, Buffalo, New York, as administrator, c. t. a., de bonis non, acting under the judicial supervision of the Surrogate's Court for Erie County, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-636; Filed, Jan. 21, 1948; 8:48 a. m.]

[Vesting Order 10414]

FERDINAND HAUB

In re: Estate of Ferdinand Haub, deceased. File D-28-3813: E. T. sec. 6435.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Louis K. Haub, whose last known address is Germany, is a resident of Germany and national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Ferdinand Haub, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Missouri Valley Trust Company, as Executor, acting under the judicial supervision of the Probate Court of Buchanan County, Missouri;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 26, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-637; Filed, Jan. 21, 1948; 8:48 a. m.]

[Vesting Order 10467]

RICHARD T. LOHMEYER

In re: Debt owing to Richard T. Lohmeyer. F-28-28565-C-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Richard T. Lohmeyer, whose last known address is Andreaswell 24, (23) Verden/Aller, Prov. Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Richard T. Lohmeyer, by Harriss and Vose, 60 Beaver Street, New York 4, New York, in the amount of $444.72, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-598; Filed, Jan. 20, 1948; 8:54 a. m.]

[Vesting Order 10468]

NISHIKAWA BROTHERS

In re: Debt owing to Nishikawa Brothers. F-39-3206-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nishikawa Brothers, the last known address of which is c/o Towa Sangyo Kabushiki Kaisha, 406 Daido Buildings, Tosabori, Osaka, Japan, is a partnership, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Osaka, Japan, and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Nishikawa Brothers, by R. L. Dixon & Bro., 1305 Cotton Exchange Building, Dallas, Texas, in the amount of $584.88, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the

aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-599; Filed, Jan. 20, 1948; 8:54 a. m.]

[Vesting Order 10476]

LUDWIG KUEHNER AND MATHILDE KUEHNER

In re: Real property and property insurance policies owned by Ludwig Kuehner and Mathilde Kuehner, also known as Mathilda Kuehner.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwig Kuehner and Mathilde Kuehner, also known as Mathilda Kuehner, whose last known addresses are Kirsch Strasse 2, Heidelberg, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. Real property, situated in the City and County of Milwaukee, State of Wisconsin, particularly described as follows: The West Sixty-eight (68) feet of Lot numbered Ten (10) in Block numbered Three (3) in Assessment sub-division No. 17, being a part of the North East Quarter (NE¼) of Section numbered Seventeen (17) in Township numbered Seven (7) North, of Range numbered Twenty-two (22) East, in the Thirteenth (13th) Ward of the City of Milwaukee, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of the persons named in subparagraph 1 hereof, in and to the following property insurance policies:

Owners' Public Liability Policy, No. OLT 73938, issued by the Western Casualty and Surety Company, Fort Scott, Kansas, in the amount of $5,000.00/$10,000.00, in the names of Ludwig and Mathilda Kuehner, his wife, bearing Liability Renewal Certificate No. LRC 41138, which policy insures the real property described in subparagraph 2-a hereof, together with any and all extensions or renewals thereof,

Fire Insurance Policy, No. 154909, issued by the National Mutual Insurance Company, Celina, Ohio, in the amount of $5,000.00, in the names of Ludwig Kuehner and Mathilda Kuehner, his wife, which policy insures the real property described in subparagraph 2-a hereof, together with any and all extensions or renewals thereof,

Windstorm Insurance Policy, No. 154,908, issued by the National Mutual Insurance Company, Celina, Ohio, in the amount of $3,500.00, in the name of Ludwig Kuehner and Mathilda Kuehner, his wife, which policy insures the real property described in subparagraph 2-a hereof, together with any and all extensions or renewals thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of records held by or for persons who are not nationals of designated enemy countries,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-601; Filed, Jan. 20, 1948; 8:54 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 1631 and 1798]

CHICAGO AND SOUTHERN AIR LINES, INC., AND BRANIFF AIRWAYS, INC., CHICAGO-HOUSTON SERVICE CASE

NOTICE OF HEARING

In the matter of the applications of Chicago and Southern Air Lines, Inc., and Braniff Airways, Inc., for amendments to their certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, known as the Chicago-Houston Service Case.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 that the applications consolidated by order of the Board, Serial No. E-930 dated November 17, 1947, be and they hereby are designated for public hearing on January 28, 1948 at 10:00 a. m. (eastern standard time) in the Foyer of the Commerce Auditorium, Department of Commerce Building, 14th and Constitution Ave., N. W., Washington, D. C., before Examiner Warren E. Baker.

For further details of the amendments proposed, parties are referred to the applications on file with the Civil Aeronautics Board and the prehearing conference report issued October 8, 1947.

Without limiting the scope of the issues presented by said applications, particular attention will be directed to the following matters and questions:

1. Is the applicant a citizen of the United States and is it fit, willing, and able to perform the service for which it is applying?

2. Does the public convenience and necessity require the proposed modification of the restrictions of applicant's certificate of public convenience and necessity?

Notice is further given that any person other than the parties and interveners of record as of January 16, 1948, desiring to be heard in this proceeding may file with the Board on or before January 28, 1948, a statement setting forth the facts and law raised by this proceeding which he desires to controvert and such person may appear and participate in the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of section 1002 (i) of the Civil Aeronautics Act of 1938, as amended.

Dated at Washington, D. C., January 16, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-623; Filed, Jan. 21, 1948; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6113]

METROPOLITAN EDISON CO.

NOTICE OF APPLICATION

JANUARY 16, 1948.

Notice is hereby given that on January 15, 1948, an application was filed

with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Metropolitan Edison Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and doing business in said State, with its principal business office at Reading, Pennsylvania, seeking an order authorizing the acquisition by merger of the facilities of the Edison Light and Power Company, a corporation also organized and existing under the laws of the Commonwealth of Pennsylvania, or in the alternative, an order disclaiming jurisdiction over the proposed transaction; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 6th day of February 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-627; Filed, Jan. 21, 1948; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 166]

INCREASED FREIGHT RATES, 1947

JANUARY 15, 1948.

Inasmuch as the general rules of practice require service by mailing a copy to all parties of record of petitions for reconsideration and modifications of orders, and inasmuch as there are about 1200 parties of record in this proceeding, Division 2 has adopted a special rule of practice in this proceeding as follows:

For the purpose of filing petitions for reconsideration or modification of orders in this proceeding, it will be sufficient to certify that service has been made by depositing in the United States mail first-class properly addressed copies to the following Committee of Counsel for the railroads:

Jacob Aronson, Vice President and General Counsel, New York Central System, 466 Lexington Avenue, New York, New York.

H. C. Barron, Counsel, Western Traffic Executives Committee, 310 Union Station, Chicago, Ill.

Frank W. Gwathmey, Shoreham Building, Washington, D. C.

Thomas P. Healy, General Solicitor, New York Central System, 466 Lexington Avenue, New York, New York.

Gregory S. Prince, Assistant General Solicitor, Association of American Railroads, Transportation Building, Washington 6, D. C.

J. M. Hood, President, American Short Line Railroad Association, Tower Building, Washington, D. C.

Upon all other parties known to be adverse, and upon each of the cooperating State Commissioners, as follows:

Honorable N. J. Holmberg, Chairman, Railroad and Warehouse Commission of Minnesota, St. Paul, Minnesota.

Honorable Harold L. Mason, Public Utilities Commission of Ohio, Columbus 15, Ohio.

Honorable Kenneth Potter, Public Utilities Commission of California, State Building, San Francisco 2, California.

Honorable Nat B. Knight, Chairman, Public Service Commission of Louisiana, 324 Whitney Building, New Orleans 12, Louisiana.

The original and 25 copies should be furnished for the use of the Commission.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 48-624; Filed, Jan. 21, 1948; 8:46 a. m.]

[S. O. 396, Special Permit 402A]

RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

Special Permit No. 402A under Service Order No. 396. Cancel Special Permit No. 402, dated January 12, 1947.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Minneapolis, Minn., January 12, 1948, by Oneonta Trading Corp., of car FGE 43833, apples, now on the Great Northern to Detroit, Mich.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of January 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-625; Filed, Jan. 21, 1948; 8:45 a. m.]

[S. O. 790, Special Directive 35A]

WHEELING AND LAKE ERIE RAILROAD CO.

REVOCATION OF ORDER TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 35 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., January 16, 1948.

A copy of this special directive shall be served upon The Wheeling and Lake Erie Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 15th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-626; Filed, Jan. 21, 1948; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-497]

TRANSIT INVESTMENT CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of January A. D. 1948.

Notice is hereby given that Transit Investment Corporation (Transit), a registered investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting Transit from the provisions of section 30 (d) of the act and Rule N-30D-1 thereunder insofar as said section and rule require the applicant to transmit an annual report to its shareholders for the fiscal year ended December 31, 1947. Transit is in the process of liquidation and dissolution under the supervision of the Court of Common Pleas No. 4 of Philadelphia County, Philadelphia, Pennsylvania.

All interested parties are referred to said application which is on file at the Washington, D. C., offices of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application in whole or in part and upon such conditions as the Commission may see fit to impose may be issued by the Commission at any time after January 28, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may not later than January 26, 1948, at 5:30 p. m., submit to the Commission in writing his views or any additional fact bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, N. W., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing; the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-612; Filed, Jan. 21, 1948; 8:45 a. m.]